

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

DEREK L. BOYD,)	
)	
Plaintiff,)	
)	
v.)	No. 1:25-cv-00705-JRS-TAB
)	
DUSTIN CASTER, et al.,)	
)	
Defendants.)	

TO: Sheriff, Hamilton County Jail

Order Directing Prisoner Payment

The plaintiff's request to proceed *in forma pauperis* was granted through the assessment of an initial partial filing fee. That sum has been paid. However, plaintiff is still obligated to pay the remainder of the three hundred and fifty dollars (\$350.00) filing fee pursuant to the statutory formula set forth in 28 U.S.C. § 1915(b)(2). "All § 1915 has ever done is excuse pre-payment of the docket fees; a litigant remains liable for them, and for other costs, although poverty may make collection impossible." *Abdul-Wadood v. Nathan*, 91 F.3d 1023, 1025 (7th Cir. 1996).

In order to provide for the orderly payment of the balance of the filing fee owed in this case, the Court directs the following:

1. Plaintiff's custodian is directed to **withhold** sums from the inmate trust account of **DEREK L. BOYD** and to **forward** such sums to the Clerk of this Court at 46 East Ohio Street, Room 105, Indianapolis, Indiana 46204, consistent with paragraph 2 of this Entry. The appropriate cause number, 1:25-CV-00705-JRS-TAB, should be placed on each payment sent to the Clerk.

Checks must be issued for a single plaintiff and include the case number or numbers to which the payment should be applied.

2. The sums withheld and forwarded shall be twenty percent (20%) of the preceding month's income credited to the inmate's account. "Income" means all deposits including settlement proceeds, gifts, or bequests from family.¹ Such sums shall be forwarded to the Clerk each time the amount in the inmate's account exceeds Ten Dollars (\$10.00) until the filing fee is paid. This means that no payment shall be made for less than \$2.00.

3. As of the issuance of this Order, the balance of the filing fee still due in this case is \$345.14.

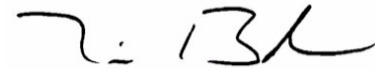
4. A copy of this Order shall be sent to plaintiff and to plaintiff's custodian.

5. If other orders have been issued directing the withdrawal of 20% of the plaintiff's funds for other cases, these orders shall cumulate and therefore, for example, if there are currently three such court orders in effect, 60% of the plaintiff's income shall be withheld each month and remitted to the Clerk each time the account balance exceeds Ten Dollars (\$10.00). The custodian must list all case numbers to which the payment should be applied on each check.

6. "In no event shall the filing fee collected exceed the amount of fees permitted by statute for the commencement of a civil action. . . ." 28 U.S.C. § 1915(b)(3). Accordingly, the Clerk is directed to refund any over payments made in satisfaction of this Order.

SO ORDERED.

Date: 7/14/2025



Tim A. Baker
United States Magistrate Judge
Southern District of Indiana

¹ *Lucien v. DeTella*, 141 F.3d 773, 776 (7th Cir. 1998).

Distribution:

All ECF-registered counsel of record via email

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Financial Deputy Clerk